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Statement

of

Deputy Director of Central Intelligence

JFK ACT 1/19/99 RELEASE

CIA HISTORICAL REVIEW PROGRAM
RELEASE IN FULL

~~APPROVED FOR RELEASE 1993~~
~~CIA HISTORICAL REVIEW PROGRAM~~

Presented to:

House Select Committee on Assassination
11 December 1978

JFK ACT 3/4/97 RELEASE

20258

Mr. Chairman and Members of the Committee,

It is a privilege to appear before you in these hearings. I believe, as I think you do, that exhaustive and objective investigations of the tragic assassinations of President John F. Kennedy and the Reverend Martin Luther King can make a contribution to history and resolve the nagging doubts that have been created and kept alive over the past fifteen years. We in CIA have tried to be fully supportive.

You have asked me to speak to the future, and how the Government should act in the event of a future assassination of a major public figure. For CIA's role in such an eventuality, I should speak against the background of what CIA is, and what its responsibilities and capabilities are. This seems appropriate, for despite all the publicity over the past few years, the public still has something less than a perfect picture of the Agency.

It must be remembered that CIA was created following World War II, at the beginning of what came to be known as the Cold War. In addition to its role of collection and analysis of intelligence, CIA was tasked immediately to perform a range of activities for which there was no real precedent and for which no clear terms of reference were available. This was part of an unprecedented period of

American initiatives and leadership in the free world. For its part, CIA was required to involve itself in programs aimed at countering various organized Communist subversions then plaguing Western governments and institutions. This part of its mission involved a wide range of clandestine activity unfamiliar to most Americans.

The normal process of evolution has worked its way within the Agency over the years. The resulting changes should be viewed in the context of change itself. The CIA is a dynamic organization and one of its strengths has always been its responsiveness to new requirements and Governmental direction. Today's CIA is very different than the CIA as it was originally created; it is also very different than the CIA of four or five years ago.

From within it is not difficult to recognize the many and varied talents in the organization. It has been difficult, however, to convey to the public a balanced picture of the Agency, because of the necessary secrecy that surrounds much of what it does. Our analytical side is usually ignored. But the CIA in many respects resembles a university. Its scholarly researchers, specialists in many walks of life, and its creative scientists and technicians constitute a remarkable national resource. I like to think that this has been made clear often enough to be generally recognized, but

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Secrecy extends into the offices of researchers and analysts as well. While it is no secret that CIA has a large group of researchers and analysts, much of the information with which they work comes from highly

sensitive sources that must be protected. While unclassified reports can be and are produced, much of the report production must bear high security classifications. Quite frankly, if we did not protect these sources we would lose them. Each such loss contributes to the blinding of our policy-makers.

Operational and source security traditionally have been central features of successful intelligence throughout the history of mankind. The importance of these considerations is recognized in our own laws, the National Security Act of 1947 making the Director responsible for protection of intelligence sources and methods from unauthorized disclosure. The shorthand phrase "protection of sources and methods" is central to the conduct of the business of intelligence, both by reason and by force of law.

This Committee has an outstanding record on this score. We have not been plagued with dangerous leaks that expose valuable resources abroad or, for that matter, that do us damage in the areas in which we must operate.

You have recognized our common responsibility of maintaining the balance between necessary secrecy and the openness of a free society. We have extended access to your Committee to many inner secrets, knowing that

these -- the public's secrets -- will be kept, while the broad story can still be told.

This special requirement of security on the part of the CIA must be kept in mind, as it will constitute a very real consideration in decisions of how to conduct any future such inquiry as yours, should the occasion arise. It also bears heavily on our ability to gather the information that can and has saved the lives of our public officials.

It also should be pointed out that CIA seldom conducts investigations in the normal sense. Its employees abroad are under cover, not openly acknowledged as CIA. Their sudden conversion to police-type investigators in some future inquiry, moving about overtly in a foreign jurisdiction, would not only involve them in the use of techniques not regularly a part of their professional practice, but it would compromise their ability to perform for long at that location as well as elsewhere abroad in the future. The point is that CIA ordinarily does not carry out its intelligence operations as policemen or detectives. Its approach is to focus rather sharply on selected intelligence targets, which are approached clandestinely. The only persons in the Agency who really engage in regular investigative work are security officers conducting background investigations on individuals in order to clear

them for access to classified information.

It is in this context that I respond to your request as to what the actions of CIA should be in the event of a future assassination of a major political figure. I will not try to predict what kind of an assassination may occur, at what level of public importance, with what international implications. The range of resulting situations will vary so that what is done should depend very much on the circumstances at the time.

So far as the role of CIA is concerned, in any assassination inquiry, its jurisdiction is that of foreign intelligence, subject to Presidential directive and Congressional review. The Agency is restricted by Executive Order in what it can do within the United States, and more specifically is proscribed by law from having any law enforcement role. These considerations, in addition to those of security, will impact directly on the role of CIA in the event of future assassinations.

By far the most important thing CIA can do in the sordid business of assassinations is to help prevent them. Our ability to do this depends on maintaining a network of dedicated and talented people throughout the world. They engage in out-of-the-ordinary endeavours, at some

personal risk, on unusual subject matter. They do not have the satisfaction of sharing their experiences with their families; there are some families that do not even know the true employment of the head of the household. You would have to look very far indeed to find such a collection of dedicated public servants. So far as CIA's contribution is concerned, they would carry the load.

All of our people are instructed to be alert to assassination plots. Any CIA officer who learns of the planned assassination of a public figure would report it immediately. In the case of Americans the information is passed directly to the Secret Service. There are public figures alive in this world today who have CIA to thank for it. Further, in an age of organized terrorism, we have been able to learn of plots that would have resulted in the death of innocent private citizens and have been able to cause actions that saved their lives. Security considerations forbid me to do more than allude to it.

I must emphasize that the ability of CIA to find its way to the shapeless secrets in the dark world of terrorism and violence is a chancey and risky business. It depends on many things. To the extent that we can gain and hold the confidence of individuals who will report to us what terrorists and assassins are doing, we increase our

chance of learning such things. To the extent that we must reveal our sources and jeopardize the lives and safety of those who work for us, our chances for succeeding are reduced.

Whenever we discuss intelligence sources, it involves the lives of people who are willing to trust our ability to protect them. If the word goes out that CIA does not protect those who work for it, it will directly affect our ability to do the job that we are supposed to do. Private individuals who have worked for us, and still do would come to fear to continue to do so. Further, the security and law enforcement organizations of foreign governments may also come to doubt our reliability. This in fact is already happening. To what extent, I cannot say, since you can never know how much information you don't receive. But we detect a clear lessening of confidence in us on the part of our agents and friendly services with whom we work. As a part of the inherent philosophical tension in having a secret organization in an open society, there can be grave problems in over-exposure and destruction of the very thing the United States Government has the right to expect from an organization such as CIA.

What considerations would affect CIA if there was an assassination of a President?

First, there may be international implications. Were such an event to occur again, CIA would--as it did following the assassination of President Kennedy--institute a world-wide intelligence alert. The murder of the President may have serious implications for the national security of the United States, well beyond the tragedy of the act itself.

As we did following the assassination of President Kennedy, we would levy general requirements for reporting of any information that bears on the subject. This would be followed, if appropriate, by more specific requests.

After the first alert, the question would be whether the assassin (and where there is more than one, his colleagues) had any international connections. On this question there would be certain things that CIA would do automatically. It would check its files for any possible indications of foreign connections on the part of the assassin. It would approach the police and security organizations in those countries where it has connections to ask for advice and assistance. In terms of past capabilities our performance in this respect should be good. Beyond this, the various established intelligence sources can be queried for any information that they may have.

In the case of Lee Harvey Oswald, CIA was able to obtain information on his travel back to the United States from the Soviet Union, as well as being able to produce limited information about his contacts with Soviet and Cuban officialdom during his brief visit to Mexico a month and a half before the assassination of the President. While there was reporting of reactions around the world, there was not much directly on Oswald. As one CIA report stated it, during the original inquiry, other information on Oswald from abroad was limited "partly...by the facts of Lee Oswald's life." Obviously, if there is no information we will find none. If it exists, but is well concealed, we may be unable to come by it.

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Were there to be an assassination abroad, an important part of the problem would be political. The United States Government, at a diplomatic level, could seek assistance from the domestic law enforcement and security agencies of

the country where the incident occurs. CIA and the FBI could share in this in some way, the division of effort depending very much on circumstances difficult to predict.

The assassination of President Kennedy--inside the United States--involved CIA in something of a limited supporting role. The things that were known and seemed at that time to bear on the assassination were reported. In the event of a future assassination inside the United States, CIA's role would depend on a number of considerations. After the initial actions that might be taken if the victim was the President, there may be no investigation at all. Say the assassin was a disgruntled office-seeker in an open-and-shut case. In any event, if the assassin survives, special considerations must be taken into account. Without reference to any problems that might arise in the use of specially sensitive information in his trial, any such inquiry such as yours would have to be conducted in such a way as to protect his right to a fair trial.

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A

A. Tone of Management

B. Protecting U.S. Officials Abroad

C. Collecting Information on U.S. Persons.

D. Minimize on U.S. Persons--Collecting and Reporting on Another Oswald

E. Citing Sources in Reporting in Criminal Trials, etc.

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Tone of Management

Current CIA Management is very much in tune with the current attitudes of the Congress and the President. A number of management reviews have been under way for some time, both within CIA and at the level of the intelligence agencies that we refer to as the Intelligence Community.

With the reduction of the tensions of the more extreme periods of the Cold War, the large covert action programs that involved CIA in an action role, in addition to its collection and analysis of intelligence, have dropped to insignificance. Those pressures on the Agency's role in that Cold War activity, therefore, have been removed. Currently the emphasis is on better and more sophisticated intelligence reporting and analysis.

Today, the national arrangements within the Intelligence Community are better tuned for the present and future than they may have been in the past. Reorganization for that purpose has been completed, so far as formal Presidential decision is concerned, and the machinery is now being fine-tuned.

Part of the new look, which intelligence organizations should assume for themselves, is the refining of authorities and the delineation of responsibilities, with restrictions in those areas that produced difficulties during the Cold War.

It is interesting to note that the genesis of many of the restrictions that have been adopted by Presidential order were in a set of instructions issued by a former Director over five years ago. While we have some problems with more restrictive aspects of some of the current language, in that they sometimes seem narrow and rigid for a business as uncertain as intelligence, the general thrust of these rules is positive. How could CIA complain otherwise of guidelines that originated conceptually with it?

Today there is an Intelligence Oversight Board in the Executive Branch of the government -- the IOB -- which reviews possible improprieties, or activities raising legal questions. This reporting machinery ensures adherence to the rules as currently viewed. Beyond that we now have special oversight Committees in both houses of Congress, which interest themselves in substantive and procedural issues affecting intelligence, ranging from special questions of a given situation, to government-wide collection and reporting programs.

All in all, the intelligence machinery of the United States is organized to be responsive to Presidential and Congressional policies, and responsible for its work within the guidelines established by the authorities.

We believe that we have the best intelligence organization in the world, and that its strengths are reinforced by our adherence to the basic principles of our society.

QUESTION: What does CIA do to help protect U.S. officials abroad?

ANSWER: Pursuant to Title 18, U.S. Code Section 3056 and Public Law 90-331 and within limitations placed upon its activities by other statutes and Executive Orders, CIA will work actively to obtain any information in areas outside U.S. territorial jurisdiction required to assist the Secret Service in the accomplishment of its protective responsibilities. Such information specifically pertains to threats, plans or attempts by an individual, group or organization to physically harm or kidnap any person to be protected by the Secret Service, as well as any other U.S. or foreign high government official.

Specific reporting procedures implementing these instructions have been sent to all missions abroad. The relationship between the U.S. Secret Service and other elements of the intelligence community is of long-standing and works very well.

One anomaly exists in that the majority of assassinations or attempted assassinations made against U.S. officials have been performed by U.S. persons. The currently applicable Executive Order prohibits collection of information concerning the domestic activities of U.S. persons and has no exception allowing for situations which may occur in the course of conducting investigations abroad of persons considered possible threats to U.S. officials. This anomaly is currently under review.

As a matter of long-standing practice, all members of the intelligence community abroad are alert to threats against all American installations and all American persons whether they be officials or private citizens. The basic point to remember is that while the agreement I referred to above applies to U.S. officials - primarily those protected by Secret Service - in fact the U.S. intelligence community is constantly on the alert to protect all American persons abroad.

D

Policy Regarding Collection of Information Concerning U.S. Persons

CIA's collection, retention and dissemination of information concerning U.S. persons* that is not available publicly, is governed by the provisions of Executive Order 12036 and internal regulations. The Executive Order restricts the Agency in the collection techniques which it may use and the type of information it may collect, retain, and disseminate. Eleven categories of information are specified which can be collected, stored or disseminated. Provision is made by the Executive Order for procedures to be established by the DCI and approved by the Attorney General on this subject. This procedure has not yet been approved and we continue to operate under policies issued pursuant to E.O. 11905, modified when necessary to meet the requirements of E.O. 12036.

* U.S. persons. This term is defined in the E.O. to mean citizens, aliens lawfully admitted for permanent residence, unincorporated associations organized in the U.S. or substantially composed of citizens or aliens admitted for permanent residence and corporations incorporated in the U.S.

CIA is authorized to collect, retain and disseminate information concerning U.S. persons which meets the definition of either foreign intelligence or counterintelligence, which is gathered abroad, and which originates with cooperating sources in the U.S. or in technical operations abroad conducted in compliance with Attorney General procedures.

We are also permitted to collect information about a U.S. person who is reasonably believed to be acting on behalf of a foreign power, engaging in international terrorist activities or narcotics production or trafficking, or endangering the safety of a person protected by the U.S. Secret Service or the Department of State. While we do not collect information in the U.S. on U.S. persons by technical or clandestine means, we are allowed to and do receive information from other federal and occasionally State and local agencies when it falls within the categories enumerated in the Executive Order.

We have also published an internal regulation which prohibits us from undertaking any operational or analytical activities specifically to collect information regarding the foreign economic activities of a U.S. person. This

restriction does not, however, preclude studies of foreign economic activities that include analyses of the roles of U.S. firms, for example: foreign demand for U.S. grain, U.S. technology transfer to the USSR, foreign discrimination against U.S. firms, and studies evaluating the importance of the U.S. in worldwide economic activities, such as shipping and energy. To the extent that information on the economic activities of U.S. persons abroad is incidentally acquired from sources other than electronic surveillance in the course of CIA's normal foreign intelligence activities, and is significant to other U.S. agencies, it may be forwarded to such agencies with the approval of the appropriate Deputy Director or a designee as long as it conforms to restrictions governing the collection, storage, and dissemination of information.

The most significant minimization imposed upon our collection activities finds its basis in E.O. 12036. We have, as also noted, been minimizing dissemination of information concerning U.S. persons since the promulgation of E.O. 11905 and as a matter of fact were doing so even prior to the date of this Order (February 1976). In addition, since E.O. 11905, the Attorney General has issued procedures which minimize the scope and type of information

we may retain, store and disseminate from technical operations abroad.

With regard to the dissemination of information acquired by non-technical means concerning U.S. persons, it is our present practice to delete the identities of U.S. persons from intelligence information reports. In those cases where a U.S. person's identity is essential to the information reported, for foreign or counter-intelligence reasons, or because he or she is reasonably believed to be involved in international terrorism or narcotics trafficking, or because the person may pose a threat to the physical safety of another person, separate memoranda are sent to the appropriate officials of those agencies who have jurisdiction over the person or the activity.

E

Given existing legal minimization restrictions, could we retain and disseminate the kinds of information which we obtained about Oswald prior to the Kennedy assassination were we to acquire similar information about a U.S. person today?

Prior to the assassination CIA learned that someone named Lee Oswald contacted the Soviet Embassy in Mexico City. This information was disseminated to the FBI, the State Department and to the Navy for counterintelligence purposes.

If we acquired similar information in the same circumstances today, we could not retain or disseminate it. Under E.O. 12036 and existing Attorney General guidelines, we may retain and disseminate information about a U.S. person who is reasonably believed to be endangering the safety of a person protected by the United States Secret Service or the Department of State. None of the information acquired by CIA about Oswald indicated that he was endangering the safety of the President. Moreover, the information does not of itself fall among other categories of information which we may retain or disseminate, such as counterintelligence information (information about a U.S. person who is reasonably believed to be acting on behalf of a foreign power).

F

Citing of Sources in Reporting -- Criminal Trials, etc.

I have emphasized the security aspect of intelligence activities -- the need to protect intelligence sources and methods. This carries over into regular reporting of information, in which a source may be characterized and given a basic evaluation as to reliability, but is not specifically described.

The intent is to provide the information -- the substance, if you will -- while not revealing the actual source or the method by which the information was obtained. On rare occasions the source is revealed under very special circumstances; such an approach has been used with your Committee. But routinely, and necessarily so, we do not reveal the source.

I need not emphasize to you the problems that the security of operations presents in an open society. It so happens that more often than one would wish CIA finds itself saying that its information cannot be used in public trials. The rationale is complex, but to us is quite clear.

Certain examples become clear when the subject is considered.

First, CIA is forbidden to engage in law enforcement activities. Yet, it has been assigned a role in interdicting the movement of narcotics to the United States for the drug

trade here. Abroad, we can and do collect information on drug traffickers and planned narcotics movement. That information has assisted the law enforcement authorities of our government and allied governments in actions against the traffickers. We can engage in the dangerous business of collecting information on these criminal activities, but our sources cannot come into court and testify -- were they to do so not only would we lose a source of important information, the source may lose his life.

In the world of counterespionage the problem of exposure in trials becomes even more complicated. Not only are we confronted with the problem of compromising operational contacts -- which we should protect -- but we also find ourselves faced with exposing the secrets that were the target of the espionage, and that to some degree still require protection. There is a self-defeating character in this, risking compromise of CIA's necessary practice of concealing details behind the scene. In court procedures, defense attorneys may seek to pursue facts well beyond their relevance to the prosecution, in hopes that the sensitivity of the subject matter may cause the government to drop its prosecution because of security equities.

Citation of sources in reporting must be general. Those who read CIA reporting are familiar with its practice in source description, which characterizes the source without revealing it. It must be remembered that not everything

that is collected is true, nor that it is accepted automatically. It is weighed against other information, judged in terms of the track record of the source and his or her access to information, and if evaluated as sound it is disseminated.

Dissemination During Warren Commission Inquiry

CIA will always be plagued with judgments of how much detail to release about its sources of information, or the techniques by which the information may have been obtained, even though reporting the actual information itself. Traditionally, we characterize sources, and give some evaluation of them, while protecting the source or the method by which they were obtained.

The Warren Commission inquiry was the first such experience in the history of this Agency, which had only some 17 years total life at the time of President Kennedy's assassination, all of it shaped in the dramatic times of the Cold War.

The information that CIA believed relevant to the Warren Commission inquiry was reported. In some instances sensitive sources were not cited, although the full facts were conveyed. In those instances where it proved additionally important in the eyes of Commission investigators to know the sources, to make their own evaluations, that additional information was reported, the Commission, in turn, concealing that information in its final report. It is an unavoidable problem, in our business, and I would assume that it always will constitute a basic consideration in arranging the relationship with investigating bodies external to the Agency.

As you may know, we went through just such a period with this Committee, the difficulties presented in the early days seeming to be resolved upon its reorganization under your Chairmanship with Mr. Blakey as its Chief Counsel and Staff Director.

The questions of dissemination that loom large in the minds of some, in the case of the Warren Commission, should be resolved when direct access is provided, as has been the case with your investigators. In fact, this approach has created yet another problem, that of the sheer physical problem of reviewing everything made available to your people.

As for dissemination practice during the Warren Commission inquiry, our records show that it went somewhat as follows:

1. The FBI had a primary responsibility for conducting the investigation. The Commission had its own investigators, but in the main they relied upon the Bureau. Under that arrangement we provided the Bureau with large volumes of reported material, and spared the Commission the same detail, providing selected reporting that might be significant to it.

2. The Commission, in addition to the basic investigation of the Bureau, had analytical problems of its own. It requested certain studies, which were

provided. Depending on the substance of those studies copies were provided the Bureau on a selective basis.

The day-to-day working-level relationships probably account for a wide variety of special actions that later procedural analysis might find eccentric, if the analysts were unfamiliar with the nature of working relationships between persons in large organizations. The real judgment on your part, if this poses problems, is the consensus of the Commission personnel, to the effect that they enjoyed a good relationship with the Agency. I believe the same is true as between the Bureau and the Agency. Problems that may have arisen were routine and were resolved.

H

Reporting on CIA Plotting Against Castro

Q. Why did CIA not report to the Warren Commission about the plots against Castro's life?

A. The simple answer is that at the time no one perceived the possibility of a tie between any specific operational activity on the part of CIA and the death of the President. The temper of the times should be recalled.

There was considerable tension between the Kennedy administration and the Castro regime. Diplomatic relations had been broken. At U.S. initiative a number of countries had engaged in economic sanctions against Cuba. The Bay of Pigs invasion occurred in April 1961, and the Missile Crisis was in October 1962. Paramilitary operations against Cuba were conducted not only by Cuban elements supported by CIA, but also by other elements of the U.S. Government. The President, himself, made a major policy address in Miami just four days before his death, which the press quoted White House sources as saying was intended to cause a popular uprising against Castro. There was no secret about the Kennedy administration's intention to oust Castro by one means or another.

When President Kennedy was assassinated, the tensions

between Cuba and the U.S. and between the USSR and the U.S. over Cuba were well known. This general recognition gave rise to concern that the Soviets or Cubans were involved in some way. I am sure that you are aware that it is most unlikely that Cuba would have undertaken any such a thing without Soviet agreement at that time. The point is, that most saw the general concern because of the general tensions, but the thought that foreign involvement in the assassination would have resulted from any specific activity simply was not viewed as a separate idea.

There have been a lot of theories since then. Among them is the provocation or retaliation theory, which argues that Castro may have learned of plotting against him and struck out against the President. But that refinement did not surface then.

It is regretted that the pressures of the time produced plots against the life of Castro, and that CIA sought the aid of criminal elements in the operation. With the advantage of hindsight, which we all serve nowadays, it would have been helpful if CIA had perceived the provocation theory then as it is postulated today. It would have saved some problems in looking back if the

separate activities of those with operations against Cuba had reviewed all their programs for such provocative activities, to see what leads they may produce. The simple fact, however, is that the broader perception controlled then and no one thought of it.

In the pursuit of proof of the theory, one investigating body sought to prove that a relationship that CIA had with a Cuban official fell in the category of reportable activities. The man is known as AMLASH. In fact, CIA had no operational commitments to that man during President Kennedy's life, and promised him no help in the absence of major accomplishments on his own. The record is full of careful arms-length dealing with him. Quite frankly, that simply was irrelevant to the issue.

The criminal plotting is something else. There was a plot, which there was not with AMLASH. There may have been something to review for any special additional insights. However, as I have said, the concept was not recognized then. It is just that simple.

FBI Report (1967) -- on Castro Plotting with Syndicate

Q. Are you aware of an FBI report that cites an attorney to the effect that criminal clients of his said that CIA's plot with the Mafia was found out and that Castro sent assassins to kill the President?

A. Yes, I am familiar with the report. It is a serious thing, if accurate. However, we have some problems with aspects of it.

For instance, the known penetration by the syndicate of Castro's inner circle lost his job in January 1961. That would seem to have been the source referred to in the story, and at that point CIA's share in the operation had not progressed to anything tangible. . Further, the time frames are very vague, indeed, and some of the things that we do know do not seem to match what the FBI's source is reported as saying.

There has been some speculation in CIA that the syndicate had a number of its own operations going prior to CIA's contact of them, and that they continued even after CIA broke off. Whether the syndicate's operation got into trouble, and they decided to cover their tracks in this fashion is uncertain.

The point is that there is much uncertainty in it

all. The entire affair was something of a bad scene. The report emphasizes the dangers of such activities, and of itself it raises questions, but we are not able to engage in an evaluation of it.

Nosenko -- Treatment

Q. Would you comment on the treatment of Nosenko?

A. As you are aware, we had an Agency representative detail to you the Agency's handling of Mr. Nosenko. The man was treated with unusual harshness, and it does not in any way excuse it that his treatment was patterned after that given Americans who had been held by the KGB. We believe that such a course of action will not be repeated, although the Agency may be faced again at some time in the future with an important Soviet defector about whom there are doubts.

Whatever the extremes, the problem arose out of the doubts as to whether Mr. Nosenko was a bona fide defector, or if he had been dispatched to mislead us in some way. We had no way of resolving the problem except by interrogation, and initial errors in that had so badly affected the record that things went badly. It could be resolved only by having new personnel start in and do it over to ensure that an objective judgment would be made. We have outlined this to you before, and I don't think that it needs additional detailing now.

Mr. Nosenko is accepted by us as having been a bona fide defector. Over the years his contributions have

been so extensive and of such value that there is no objective basis for challenging his bona fides. His contributions to national security are matched by few like him.

Steps to prevent repetition of Nosenko:

1. A repetition of the handling Nosenko received while in CIA custody would be virtually impossible under current CIA regulations and procedures. Also, for a number of years, we have incorporated in the mid-career course a description and critique of the Nosenko case to indoctrinate all of our middle management officers in order to prevent any repetition of such handling or processing.

2. There are specific instructions to every CIA employee from the DCI, first issued in 1975 and repeated by successive Directors, requiring that any violation of law or seeming violation of law be promptly reported to him, the Inspector General or General Counsel. The General Counsel must, by law, report violations of law to the Attorney General of the United States. The DCI and/or the Inspector General of CIA would report such violations of law to the Congressional Oversight Committees.

3. Further safeguards to prevent a repetition of Nosenko include the following:

a. Timely status reports on all important defectors covering their physical well being, psychological and adjustment problems and the like, are distributed directly to the top management of the Operations Directorate and to the DCI and DDCI. Top management is thereby kept informed

and can take prompt remedial action if anything illegal or untoward occurs. These top officials are legally bound to take corrective action and report to appropriate Executive and Congressional authorities any violations of law.

b. Under a DO instruction (CSI 50-26) important foreign intelligence defectors are handled by a task force established for this exclusive purpose. The chief of the Task Force is a senior operations officer who represents the DCI. He reports to the appropriate Division Chief and to the Chief of the Counterintelligence Staff on a day-to-day basis.

c. Finally, members of the Intelligence Community are provided access to defectors to service their specific requirements. Any mistreatment of a defector which they might learn about or observe would certainly be reported to their superiors and be brought to the attention of their senior officials, interagency boards and Congressional Committees.

4. From the foregoing, it is obvious that senior management is now kept apprised of developments on a timely basis in the case of every major defector. Middle managers are indoctrinated against any repetition of the handling such as Nosenko received. All employees of CIA are encouraged and required to report any violation of law of which they

become aware.

5. To summarize, aside from instructions, regulations and procedural controls, there are the checks and balances provided by the fact that there are a large number of personnel involved in the day-to-day handling of a defector from various CIA components and outside agencies all of whom are legally bound to report on any violation of law or human rights which they might observe or learn about. These regulations, procedures and controls have been in existence for many years, and we have not had, and hopefully never again will have, a repetition of the way Nosenko was handled.

Nosenko -- on Oswald

Q. What does Mr. Nosenko know about Oswald?

A. It is clear to our analysts that not everything that he thought he knew is accurate. Yet they feel that he believes what he has said on the subject. If everything he says were exactly true it would serve only to confirm that Oswald did not have a KGB connection. If it is incorrect, to the extent that it is it has become of no importance, simply because it is honest error.

(1)

Luisa Calderon -- Reporting of DGI Question

Q. Can you say why CIA did not report in detail about Luisa Calderon?

A. Quite frankly, CIA did not know very much about Senora Calderon. She was a Cuban citizen, in the Cuban Embassy in Mexico City. She had been pointed out as a possible DGI employee, which still remains to be established. By the standards used in making such a determination there was not all that much to report. Her name was reported to the Warren Commission, but as a person about whom we were uncertain. And there it stays to this date.

It is noted that in those instances where we were certain that certain individuals in the Cuban Embassy in Mexico were DGI employees, they were reported.

Luisa Calderon -- Did She Indicate Foreknowledge?"

Q. Why did you not report information that indicates that Luisa Calderon may have had foreknowledge of the assassination of President Kennedy?

A. First, we are unaware that Luisa Calderon ever did say anything that can reasonably be interpreted as possibly indicating any such knowledge.

You have seen a report of something she said that was mistranslated in such a way as to permit someone to argue that she may have indicated foreknowledge. Even then it was very, very thin. However, when translated correctly the inference disappeared. There was nothing to report.

In any event, this touches on the issue of sensitive sources and methods and should not be discussed in public.

Oswald in Mexico City - Telephone Taps
(Not Really for Public)

Q. In reporting on Oswald's contacts with the Soviets and Cubans in Mexico City, why did you not also tell the origin of the information?

A. As noted in my prepared statement, CIA -- the Director -- is bound by law to protect its intelligence sources and the methods by which it collects its information. It obviously was the feeling at the time that CIA could report the basic information that it had, without having to divulge the way in which it came by it. Your investigators have not had the occasion to inquire into this practice, but it is the traditional way in which intelligence is reported, the substance is given but not the source.

When it became apparent that the Warren Commission investigators felt a need to know more about the information than CIA had felt necessary, the actual source was disclosed.

The basic fact remains that Oswald's contacts with the Soviets and Cubans were reported, but initially how we found out was not. The FBI -- responsible for

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primary conduct of the investigation -- had been told. When the Warren Commission investigators felt that they too should know, they were told.

In any event, this subject cannot be discussed in public any more than I have now done, as we still must protect our sources.

Oswald in Mexico City -- Photographs

(Not Really for Public)

Q. Please comment on the photographs of the unidentified man. And please tell us about photographic reporting from Mexico City.

A. There was a photograph of a man who remains unidentified to this date. In the early phase of the investigation of President Kennedy's assassination, this photograph, which had been tentatively identified as possibly being Oswald, was taken and used by investigators before it could be matched with photographs of Oswald. The fact is that it was not Oswald, and we still do not know who it was. Because of that early mistaken use of the photograph, it has served the purpose of stimulating a variety of speculation by amateur sleuths and the assassination buffs who have earned a living in this business. It is simply irrelevant to everything.

As the Committee knows, we have no photography of Lee Harvey Oswald from his visit to Mexico City. We never did have. Beyond that, it is not a subject for proper discussion in public.